

HOUSE BILL NO. 283

INTRODUCED BY D. HAINES

A BILL FOR AN ACT ENTITLED: "AN ACT ALLOWING A WINDOW FOR SHERIFFS WHO WERE MEMBERS OF THE PUBLIC EMPLOYEES' RETIREMENT SYSTEM BEFORE ENACTMENT OF THE SHERIFFS' RETIREMENT SYSTEM TO TRANSFER SERVICE CREDIT TO THE SHERIFFS' RETIREMENT SYSTEM FOR A DISCOUNTED COST; AMENDING SECTION 19-7-802, MCA; AND PROVIDING AN EFFECTIVE DATE AND A TERMINATION DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 19-7-802, MCA, is amended to read:

"19-7-802. Qualification of other Montana public service. (1) (a) A member may, at any time before retirement, make a written election with the board to qualify all or any portion of the member's service in the public employees', highway patrol officers', firefighters' unified, game wardens' and peace officers', or municipal police officers' retirement system for which the member either has received or is eligible to receive a refund of the member's membership contributions.

(b) (i) ~~To~~ Except as provided in subsection (1)(b)(ii), to qualify this service, the member shall contribute to the pension trust fund the actuarial cost of granting the service in the sheriffs' retirement system, as determined by the board, based on the most recent actuarial valuation minus the employer contribution provided in subsection ~~(1)(b)~~ (1)(c).

(ii) A member who elects to transfer membership from the public employees' retirement system to the sheriffs' retirement system pursuant to 19-7-301 may purchase the service for an amount determined by the board based on employer and employee contributions in the member's 11th year of service in the public employees' retirement system.

~~(b)(c)~~ Upon receiving the member's payment under subsection ~~(1)(a)~~ (1)(b), the board shall transfer from the member's former retirement system to the sheriffs' retirement system an amount equal to the employer contributions made during the member's service but no more than an amount equal to the normal contribution rate minus the employee contribution rate in the sheriffs' retirement system, according to the most recent actuarial valuation, based on the compensation earned by the employee as a member of the

1 former system.

2 (2) (a) A member may, at any time before retirement, make a written election with the board to
3 qualify any full-time public service employment performed for the state or a political subdivision of the
4 state. The member shall provide compensation and employment documentation certified by the member's
5 public employer. The board shall grant service credit upon contribution by the employee of the actuarial
6 cost of granting this service in the sheriffs' retirement system, as determined by the board, based on the
7 most recent actuarial valuation of the system.

8 (b) The board is the sole authority under this subsection (2) in determining what constitutes
9 full-time public service."

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11 NEW SECTION. **Section 2. Effective date.** [This act] is effective July 1, 2001.

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13 NEW SECTION. **Section 3. Termination.** [This act] terminates July 1, 2003.

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